

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DISH NETWORK L.L.C.,)	CASE NO.1:08CV1540
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
Vs.)	
)	
FUN DISH, INC.)	ORDER
)	
Defendant.)	

CHRISTOPHER A. BOYKO, J:

On September 9, 2008, Defendant moved for an extension of time to respond to Plaintiff's Motion for Preliminary Injunction. In its opposition to the motion for extension, Plaintiff argued:

Defendant appears to be attempting to assign or transfer the telephone numbers that are the subject of the motion to a company in California, which would risk thwarting the Court's jurisdiction over the subject of this lawsuit. Defendant's request for further extension until November appears geared toward enabling Defendant to alter the status quo.

In light of Plaintiff's concerns, the Court granted Defendant's motion for extension conditioned upon Defendant's agreement, in writing, not to alter the status quo during the extended response period. Defendant subsequently filed its agreement not to alter the status quo. Plaintiff has since filed a motion asking this Court to clarify "status quo". Plaintiff contends

status quo means Defendant will not transfer, assign or lease the phone numbers in question and Defendant will not use the phone numbers in question.

Defendant contends status quo means it will not transfer assign or lease the phone numbers in question, however, they may still use the phone numbers in question as they are the substance of the dispute before this Court and no determination has been made on the merits of Plaintiff's claims.

The Court finds that status quo means Defendant agrees not to transfer, assign or lease the phone numbers in question to third parties during the period of the extension. It does not mean Defendant may not use the numbers themselves as that is the subject of this dispute. Furthermore, Defendant's use of the phone numbers was not listed as an event that threatened to alter the status quo as defined by Plaintiff in its opposition brief as cited above.

IT IS SO ORDERED.

S/Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge

September 19, 2008